

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

DUQUESNE UNIVERSITY OF THE HOLY SPIRIT
Employer

and

Case 06-RC-080933

UNITED STEEL, PAPER AND FORESTRY, RUBBER,
MANUFACTURING, ENERGY, ALLIED INDUSTRIAL AND
SERVICE WORKERS INTERNATIONAL UNION, AFL-CIO, CLC
Petitioner

ORDER

On September 14, 2012, the Board issued an Order remanding this proceeding to the Region to count the ballots. The tally showed that the Union prevailed in the election. Thereafter, the University filed a “Motion for Board to Order an Evidentiary Hearing, Vacate Election, and Dismiss Petition.”

On December 16, 2014, the Board issued its decision in *Pacific Lutheran University*, 361 NLRB No. 157, which specifically addressed, among other things, the standard the Board will apply for determining, in accordance with *NLRB v. Catholic Bishop of Chicago*, 440 U.S. 490 (1979), when we should decline to exercise jurisdiction over faculty members at self-identified religious colleges and universities.¹ Accordingly, we remand this proceeding to the Regional Director for further appropriate action consistent with *Pacific Lutheran University*.²

MARK GASTON PEARCE,	CHAIRMAN
PHILIP A. MISCIMARRA,	MEMBER
KENT Y. HIROZAWA,	MEMBER
HARRY I. JOHNSON, III,	MEMBER
LAUREN McFERRAN,	MEMBER

Dated, Washington, D.C., February 12, 2015

¹ The Petitioner seeks to represent a unit of adjunct faculty at the University. The University has not raised an issue concerning the employee status of that faculty.

² Members Miscimarra and Johnson adhere to their dissenting views in *Pacific Lutheran University*. Nevertheless, they agree with their colleagues that a remand is appropriate.